

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

REGULAR MEETINGS

MONDAY, JULY 19, 2004

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:05 p.m. on Monday, July 19, 2004, with President Boyd presiding.

Councillor Moriarty Adams led the opening prayer and invited all present to join her in the Pledge of Allegiance to the Flag.

ROLL CALL

President Boyd instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

29 PRESENT: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley

A quorum of twenty-nine members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Gray introduced new Indianapolis Fire Department (IFD) Chief James Greeson. Councillor Talley recognized Zachary Taylor, a local boy scout, in attendance working toward his merit badge, along with his mother. Councillor Pfisterer recognized Captain Greg Harris, communications director for IFD, and stated that he will be acting as a judge and referee in the United States Rowing Association national competition being held at Eagle Creek Park this month. Councillor Cain recognized friend Steve Russo and his son Daniel.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, July 19, 2004, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Rozelle Boyd
President, City-County Council

June 23, 2004

TO PRESIDENT BOYD AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Monday, June 28, 2004, a copy of a Notice of Public Hearing on Proposal Nos. 305, 306, 346, 347, 350-355, and 357, 2004, said hearing to be held on Monday, July 19, 2004, at 7:00 p.m. in the City-County Building.

Respectfully,
s/Jean Ann Milharcic
Clerk of the City-County Council

July 1, 2004

TO PRESIDENT BOYD AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Jean Ann Milharcic, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 75, 2004 - approves an increase of \$400,000 in the 2004 Budget of the Department of Metropolitan Development, Division of Administration, (State Grants Fund) to assist the Indiana Centers for Applied Protein Sciences (INCAPS) with the purchase of scientific equipment to be used by up to 260 new high tech employees, financed by a grant from the Indiana State Department of Commerce

FISCAL ORDINANCE NO. 76, 2004 - approves an increase of \$24,847 in the 2004 Budget of the Department of Parks and Recreation (Non-Lapsing State Grants Fund) to restore two basketball courts at Haughville Park and install a new parking lot at Marott Park by using asphalt mixed with waste tires, financed by a grant from the Indiana Department of Environmental Management

FISCAL ORDINANCE NO. 77, 2004 - approves an increase of \$34,998 in the 2004 Budget of the Department of Parks and Recreation (Federal Grants and Park General Funds) to continue the after school programs for Raymond Park Middle and Liberty Park Elementary schools, as well as to pay for health and fitness activities and instruction for youth after school programs in Indy parks, financed by a federal grant and the Lilly Endowment interest earnings

FISCAL ORDINANCE NO. 80, 2004 - approves an increase of \$218,070 in the 2004 Budget of Community Corrections (State and Federal Grants Fund) to fund a Juvenile Court Intensive Probation Services Program for fiscal year 2004/2005, funded by a grant from the Department of Corrections

FISCAL ORDINANCE NO. 81, 2004 - approves an increase of \$946,254 in the 2004 Budget of Community Corrections (Home Detention User Fee Fund) to fund the first six months (fiscal year 2004/2005) of the Home Detention Program

July 19, 2004

FISCAL ORDINANCE NO. 82, 2004 - approves an increase of \$2,873,086 in the 2004 Budget of Marion County Community Corrections (State and Federal Grants) to appropriate the continuation of the annual Department of Corrections Grant for fiscal year 2004/2005, funded by a grant from the Department of Corrections

FISCAL ORDINANCE NO. 84, 2004 - approves an increase of \$183,960 in the 2004 Budget of the Department of Public Works, Policy and Planning Division, (State Grants Fund) to pay IndyGo the remaining portion of their grant funding and to pay for a transit study, financed by the Public Mass Transit Funds (PMTF) passed through the State

FISCAL ORDINANCE NO. 85, 2004 - approves an increase of \$96,416 in the 2004 Budget of the Department of Public Works, Policy and Planning Division, (Non-Lapsing State of Indiana Grants Fund) to purchase a waste oil system, supplies, and a storage unit to aid in the disposal of hazardous waste financed by a grant from the Indiana Department of Environmental Management

FISCAL ORDINANCE NO. 87, 2004 - approves a transfer of \$120,000 in the 2004 Budget of the Public Defender Agency (County General Fund) to transfer fringes (Char 01) and capital outlay (Char 04) to other services and charges (Char 03) to pay expenses for seven (7) contractual attorneys handling termination of parental right cases for the balance of 2004

FISCAL ORDINANCE NO. 88, 2004 - reduces the appropriations for the City-County Council in the amount of Fifty Thousand Dollars (\$50,000) for purposes of increasing the fund balance of the Consolidated County Fund

FISCAL ORDINANCE NO. 90, 2004 - reduces the appropriations for the Marion County Voters Registration Board in the amount of \$50,000 for purposes of increasing the fund balance of the County General Fund

FISCAL ORDINANCE NO. 91, 2004 - reduces the appropriations for the Marion County Assessor and Township Assessors in the amount of \$201,000 for purposes of increasing the fund balance of the County General Fund

FISCAL ORDINANCE NO. 93, 2004 - reduces the appropriations for the Metropolitan Emergency Communications Agency (MECA) in the amount of \$50,000 for purposes of increasing the fund balance of the MECA Fund

FISCAL ORDINANCE NO. 94, 2004 - reduces the appropriations for the Marion County Justice Agency in the amount of \$65,233 for purposes of increasing the fund balance of the County General Fund

SPECIAL ORDINANCE NO. 4, 2004 - elects to fund MECA in 2005 with County Option Income Tax (COIT) revenues in the amount of \$2,750,000

GENERAL ORDINANCE NO. 47, 2004 - authorizes intersection controls for the Wetherburn Subdivision (District 2)

GENERAL ORDINANCE NO. 48, 2004 - establishes the procedures and requirements for execution of city and county contracts, to establish an official repository and database for such contracts and to clarify the authority of the corporation counsel regarding contracts for independent legal counsel

GENERAL ORDINANCE NO. 49, 2004 - amends the official zoning map to change the delineation of the wellfield protection zoning districts

GENERAL ORDINANCE NO. 50, 2004 - clarifies the application of the city's curfew ordinances

GENERAL ORDINANCE NO. 51, 2004 - authorizes intersection controls for the Maples Subdivision (District 24)

GENERAL ORDINANCE NO. 52, 2004 - authorizes intersection controls for Speedway Woods Subdivision, Sections 1-6 (District 14)

GENERAL ORDINANCE NO. 53, 2004 - authorizes intersection controls for the intersection of 15th Street and Bazil Avenue (District 21)

GENERAL ORDINANCE NO. 54, 2004 - authorizes intersection controls for the intersection of 15th Street and Routiers Avenue (District 21)

GENERAL ORDINANCE NO. 55, 2004 - authorizes the deletion of parking restrictions on Porto Alegre Street from Michigan Street to 10th Street (District 15)

GENERAL ORDINANCE NO. 56, 2004 - authorizes the addition of parking restrictions on Porto Alegre Street from Limestone Street to Michigan Street (District 15)

GENERAL ORDINANCE NO. 57, 2004 - authorizes the addition of parking restrictions on Pierson Street from Ohio Street to New York Street (District 15)

GENERAL ORDINANCE NO. 58, 2004 - authorizes the removal of rush hour parking restrictions on Ohio Street between West Street and Capitol Avenue (District 15)

SPECIAL RESOLUTION NO. 20, 2004 - recognizes the life and contributions of former Mayor John J. Barton

SPECIAL RESOLUTION NO. 21, 2004 - recognizes Grand Worthy Matron Melody Moore of the Prince Hall Grand Chapter Order of Eastern Star

SPECIAL RESOLUTION NO. 22, 2004 - a special resolution amending the inducement resolution for TR Associates, LLC in an amount not to exceed \$6,600,000 which consists of the acquisition and substantial rehabilitation of the existing 284-unit Timber Ridge Apartments, 4005 Meadows Drive (District 4)

SPECIAL RESOLUTION NO. 23, 2004 - a special resolution amending the inducement resolution for Phoenix Apartments (to be renamed "Avondale Village") in an amount not to exceed \$12,000,000 which consists of the acquisition and rehabilitation of an existing 328-unit apartment complex on an approximately 10.31 acre parcel of land, 4004 Meadows Drive (District 4)

Respectfully,
s/Bart Peterson, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of June 21, 2004. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 425, 2004. The proposal, sponsored by Councillor Bradford, recognizes the Vietnamese American community in Indianapolis. Councillor Bradford moved, seconded by Councillor Sanders, that the President refer the proposal to a committee for further review. The motion carried by a unanimous voice vote, and President Boyd assigned Proposal No. 425, 2004 to the Rules and Public Policy Committee.

PROPOSAL NO. 348, 2004. Councillor Nytes reported that the Administration and Finance Committee heard Proposal No. 348, 2004 on June 29, 2004. The proposal, sponsored by Councillors Nytes and Moriarty Adams, approves and confirms the Mayor's appointment of a hearing officer to preside over the administrative adjudication of parking citations. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Nytes moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 348, 2004 was adopted on the following roll call vote; viz:

28 YEAS: Abdullah, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley
0 NAYS:
1 NOT VOTING: Borst

Proposal No. 348, 2004 was retitled COUNCIL RESOLUTION NO. 61, 2004, and reads as follows:

July 19, 2004

CITY-COUNTY COUNCIL RESOLUTION NO. 61, 2004

A COUNCIL RESOLUTION approving the Mayor's appointment of Jimmy C. Bostick as hearing officer to preside over the administrative adjudication of parking citations on behalf of the Consolidated City of Indianapolis and Marion County.

WHEREAS, pursuant to Indiana Code § 36-3-3-8 and Section 103-73 of the "Revised Code of the Consolidated City and County," a mayoral appointment of a hearing officer to preside over the administrative adjudication of parking citations on behalf of the Consolidated City of Indianapolis and Marion County is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Jimmy C. Bostick to serve as hearing officer at his pleasure for a term of one (1) year; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Jimmy C. Bostick is approved and confirmed by the City-County Council to serve as hearing officer at the pleasure of the Mayor for the term of one (1) year.

SECTION 2. This ordinance shall be in effect upon adoption and compliance with I.C. § 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 375, 2004. Introduced by Councillor Conley. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Darla Williams as hearing officer to preside over administrative adjudication of environmental violations"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 376, 2004. Introduced by Councillors Moriarty Adams and Keller. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which determines the need to lease approximately 59,530 square feet of office space at 1737 Massachusetts Avenue for a Work Release Center"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 377, 2004. Introduced by Councillors Conley and Nytes. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$903,821 in the 2004 Budget of the Office of the City Controller (Transportation General Fund) to fund the debt service payments for 2004 related to the Series 2003 E Transportation Bonds issued in November 2003"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 378, 2004. Introduced by Councillors Nytes and McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$105,967 in the 2004 Budget of the Cable Communications Agency (Consolidated County Fund) to purchase new equipment and supplies for WCTY/Channel 16, financed by a cable franchise Public Educational or Governmental Access Facilities (PEG) grant"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 379, 2004. Introduced by Councillors Speedy and Talley. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Michael L. Rinebold to the Public Housing Board"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 380, 2004. Introduced by Councillors Cockrum, Borst, Day, Talley and Pfisterer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which establishes advisory committees of citizens in each township to review revisions of the

comprehensive plan in each township of Marion County"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 381, 2004. Introduced by Councillors Gray and Cockrum. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$15,618 in the 2004 Budget of the Department of Parks and Recreation (Non-Lapsing State Grants Fund) to construct a playground at Northwestway Park financed by a transfer between characters"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 382, 2004. Introduced by Councillors Gray and Cockrum. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$290,000 in the 2004 Budget of the Department of Parks and Recreation (Federal Grants Fund) to continue after school programs in the Forest Manor School near 38th and Sherman, and School #108 at 3725 Kiel Avenue for the 2004 -2005 school year, financed by a 21st Century community federal grant"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 383, 2004. Introduced by Councillors Gray and Cockrum. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$80,000 in the 2004 Budget of the Department of Parks and Recreation (Federal Grants Fund) to continue the Summer Lunch Program for 2004 and serve approximately 65,000 lunches to needy children, financed by a federal grant"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 384, 2004. Introduced by Councillors Moriarty Adams, Talley and McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$140,000 in the 2004 Budget of the Department of Public Safety, Fire Division (Non-Lapsing Federal Grants Fund) to purchase gas masks, clothing, hazardous materials detection and identification equipment, and other supplies for a decontamination response vehicle, financed by a grant from the Federal Department of Homeland Security and the Federal Emergency Management Agency (FEMA)"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 385, 2004. Introduced by Councillors Moriarty Adams, Talley and McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$280,000 in the 2004 Budget of the Department of Public Safety, Emergency Management and Planning Division, (Non-Lapsing Federal Grants Fund) to update planning procedures, maintain supplies, pharmaceuticals, equipment and to provide training exercises and activities for the Metropolitan Medical Response System (MMRS) financed by grants from the Federal Department of Homeland Security and the Federal Emergency Management Agency (FEMA)"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 386, 2004. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$25,000 in the 2004 Budget of Marion Superior Court (State and Federal Grants Fund) to provide for a Guardian Ad Litem, Court Appointed Special Advocate representation for children in at risk families, funded by a grant from Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 387, 2004. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$556 in the 2004 budget of the Marion Superior Court, Juvenile Division, (Guardian Ad Litem Fund) to cover

payment for 2004"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 388, 2004. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$50,000 in the 2004 Budget of Marion Superior Court (State and Federal Grants Fund) to fund an Access program for Marion County Circuit and Superior Courts, funded by a grant from Indiana Family & Social Services Administration"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 389, 2004. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$12,400 in the 2004 Budget of the Marion Superior Court (County General Fund) to transfer Character 04 money to Character 01 to fund a part-time bailiff for Paternity Court"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 390, 2004. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$445,100 in the 2004 budget of the Marion County Justice Agency (State and Federal Grants Fund) for salaries and fringes for Metro Drug Task Force employees, funded by a grant from the Metro Drug Task Force"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 391, 2004. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$55,590 in the 2004 budget of the Marion County Justice Agency (State and Federal Grants Fund) for the salary of the Indianapolis Violence Reduction Partnership Coordinator and Indianapolis Violence Reduction Partnership newsletter, funded by a grant from Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 392, 2004. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$36,549 in the 2004 Budget of the Marion County Public Defender Agency (State and Federal Grants Fund) to appropriate funds for Juvenile Disposition Project, funded by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 393, 2004. Introduced by Councillors Moriarty Adams and Talley. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$25,455 in the 2004 Budget of Marion County Sheriff's Department (State and Federal Grants Fund) to increase support, development and rehabilitate juvenile delinquency, funded by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 395, 2004. Introduced by Councillors Moriarty Adams and Talley. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$201,224 in the 2004 Budget of the Marion County Sheriff (State and Federal Grants Fund) to purchase equipment"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 396, 2004. Introduced by Councillors Moriarty Adams, Boyd, Gray and Sanders. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints David Hurley to the Animal Care and Control Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 397, 2004. Introduced by Councillor Conley. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$400,000 in the 2004 Budget of the Department of Public Works, Engineering Division (Stormwater Management Fund) to provide sampling, monitoring, administrative, and community outreach responsibilities required for compliance with the National Pollutant Discharge Elimination System (NPDES) Permit issues by the Indiana Department of Environmental Management"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 398, 2004. Introduced by Councillors Conley and Speedy. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the issuance of \$60 million in debt by the Stormwater Utility to refund outstanding short-term debt and to raise funds for qualified projects of the Stormwater Utility"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 399, 2004. Introduced by Councillors Conley, Speedy and Nytes. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the issuance of \$100 million in debt by the Sanitary District to refund outstanding short-term debt and to raise funds for qualified projects of the Sanitary District"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 400, 2004. Introduced by Councillors Conley and Keller. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves acquisition of real property to help reduce or eliminate combined sewer overflows in the lower reaches of Pogues Run"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 401, 2004. Introduced by Councillor Bradford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a taxi zone on Broad Ripple Avenue near Carrollton Avenue (District 3)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 402, 2004. Introduced by Councillor Mahern. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes the removal of parking meters on Senate Avenue between South Street and the RCA Dome (District 19)"; and the President referred it to the Public Works Committee.

Councillor Mahern made the following motion:

Mr. President:

I move that Proposal No. 402, 2004, authorizing the removal of parking meters on Senate Avenue between South Street and the RCA Dome, be withdrawn at this time.

Councillor Abdullah seconded the motion, and Proposal No. 402, 2004 was withdrawn by a unanimous voice vote.

PROPOSAL NO. 403, 2004. Introduced by Councillor Keller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes changes in parking restrictions and intersection control changes on Hoyt Avenue, Keystone Avenue and Rural Street (District 16)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 404, 2004. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Deerfield Village Subdivision (District 23)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 405, 2004. Introduced by Councillor Brown. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Cumberland Lakes Subdivision, Section 1 (District 18)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 406, 2004. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Maple Grove Estates Subdivision, Sections 1 and 2 (District 22)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 407, 2004. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Robey Meadows Subdivision (District 6)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 408, 2004. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Robey Glen Subdivision (District 6)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 409, 2004. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Westridge Place Subdivision (District 6)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 410, 2004. Introduced by Councillor Plowman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Glen Ridge Subdivision, Section 1 (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 411, 2004. Introduced by Councillor Speedy. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Woods 'n Meadows Subdivision, Section 1 (District 24)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 412, 2004. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Decatur Ridge Subdivision, Section 1 (District 22)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 413, 2004. Introduced by Councillor Plowman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Spring Mist Subdivision (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 414, 2004. Introduced by Councillor Plowman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Becker Estates at Wildwood Farms Subdivision, Sections 1 & 2 (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 415, 2004. Introduced by Councillor Plowman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at the intersection of Prairie Dog Drive and Wagon Wheel Trail (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 416, 2004. Introduced by Councillor Brown. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at the intersection of Shannon Pointe Road and Wilford Lane (District 18)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 417, 2004. Introduced by Councillor Mansfield. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at the intersection of Munsee Lane and Oakwood Trail (District 2)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 418, 2004. Introduced by Councillor Mansfield. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at the intersection of Alimingo Drive and Oakwood Trail (District 2)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 419, 2004. Introduced by Councillor Salisbury. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal for the intersection of Bridgeport Road and Morris Street (District 13)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 420, 2004. Introduced by Councillor Abduallah. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal for the intersection of Barnhill Drive and New York Street (District 15)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 421, 2004. Introduced by Councillor Abduallah. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Indiana Avenue near St. Clair Street (District 15)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 422, 2004. Introduced by Councillor Keller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Southeastern Avenue between Chester Avenue and Grant Avenue (District 16)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 423, 2004. Introduced by Councillors Gibson and Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's establishment of a charter school, "Indianapolis Lighthouse Charter School #1," by issuing a charter to Lighthouse Academies, Inc."; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 424, 2004. Introduced by Councillors Gibson and Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's establishment of a charter school, "Indianapolis Lighthouse Charter School #2," by issuing a charter to Lighthouse Academies, Inc."; and the President referred it to the Rules and Public Policy Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 426-429, 2004, PROPOSAL NO. 430, 2004, PROPOSAL NOS. 431-435, 2004, and PROPOSAL NO. 436, 2004. Introduced by Councillor Talley. Proposal Nos. 426-429, 2004, Proposal No. 430, 2004, Proposal Nos. 431-435, 2004, and Proposal No. 436, 2004 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on June 29, July 7, 12, and 13, 2004. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 91-101, 2004, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 91, 2004.

2004-ZON-012

5925 KENTUCKY AVENUE (approximate address), INDIANAPOLIS.

DECATUR TOWNSHIP, COUNCILMANIC DISTRICT #22

DEAN BADEN requests a rezoning of 1.76 acres, being in the I-1-S and Districts to the C-1 classification to provide for the sale and repair of office furniture and medical equipment.

REZONING ORDINANCE NO. 93, 2004.

2004-ZON-041

3205-3223 WEST WASHINGTON STREET (approximate addresses) INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT #19

CHARLES AND DONNA R. BRACKEN, by Ray Good, requests a rezoning of 1.68 acres, being in the C-4 and I-3-U Districts, to the C-5 classification to provide for automobile sales.

REZONING ORDINANCE NO. 94, 2004.

2004-ZON-046

4615 SUNSET AVENUE (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT #8

BUTLER UNIVERSITY, by Joseph D. Calderon, requests a rezoning of 0.13 acre, being in the UQ-2 District, to the UQ-1 classification to provide for higher educational uses.

REZONING ORDINANCE NO. 95, 2004.

2004-ZON-803 (2003-DP-025)

7603 and 7913 EAST HANNA AVENUE, 4250, 4251, 4523 and 4865 FERGUSON ROAD, and 8141 EATON COURT (approximate addresses), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT #25

CHESSINGTON GROVE DEVELOPMENT, LLC, by David A. Retherford, requests a rezoning of 231.80 acres, being in the D-A (FF) (FW) and D-2 (FF) (FW) Districts, to the D-P (FF) (FW) classification to provide for a single-family and two-family residential development, with a maximum density of 2.50 units per acre.

REZONING ORDINANCE NO. 96, 2004.

2004-ZON-020

10151-10853 EAST 52ND STREET and 4724 NORTH GERMAN CHURCH ROAD (approximate addresses), CITY OF LAWRENCE.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT #12

MANN PROPERTIES, LLC, by Stephen D. Mears, requests a rezoning of 150.35 acres, being in the D-A (FF) (FW) District, to the D-4 (FF) (FW) classification to provide for single-family residential development.

REZONING ORDINANCE NO. 97, 2004.

2004-ZON-016 (AMENDED)

3852 CRESTON DRIVE (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT #14

WARREN E. HALEY REVOCABLE LIVING TRUST, by David Kingen, requests a rezoning of 0.04 acres, being in the D-5 District, to the C-3 classification to legally establish a dumpster associated with an existing 3,719-square foot dry cleaning store on an abutting property.

REZONING ORDINANCE NO. 98, 2004.

2004-ZON-031

1626 NORTH CENTRAL AVENUE (approximate address) INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #9

ROYAL CAPITAL L.L.C., by Andrew Johnson, requests a rezoning of 1.5 acres, being in the C-4 District, to the D-8 classification to legally establish a residential dwelling.

REZONING ORDINANCE NO. 99, 2004.

2004-ZON-040

3720 SOUTH EMERSON AVENUE (approximate address), CITY OF BEECH GROVE.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT #20

BEECH GROVE UNITED METHODIST CHURCH requests a rezoning of seven acres, being in the C-1 (FF) (FW) District, to the SU-1 (FF) (FW) classification to provide for religious uses.

REZONING ORDINANCE NO. 100, 2004.

2004-ZON-051

8719 CASTLE PARK DRIVE (approximate address), INDIANAPOLIS.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT #5

D.B. MANN, by Stephen D. Mears, requests a rezoning of 1.41 acres, being in the C-S and D-2 Districts, to the C-S classification to provide for indoor automobile storage, sales and leasing.

REZONING ORDINANCE NO. 101, 2004.

2004-ZON-054

8402 HAGUE ROAD (approximate address), INDIANAPOLIS.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT #5

CLEARVISTA TOWNHOMES, LLC, by Philip A. Nicely, requests a rezoning of 1.81 acres, being in the D-5II District, to the D-6II classification to provide for multi-family residential development.

REZONING ORDINANCE NO. 92, 2004.

2003-ZON-151 (2003-DP-021)

4300, 4310 and 4340 EAST 56TH STREET and 5656 and 5750 LINWOOD DRIVE (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT #4

THE JUSTUS COMPANIES, by Thomas Michael Quinn, requests a rezoning of 7.06 acres, being in the C-S and D-2 Districts, to the D-P classification to provide for 61 multifamily residential dwellings at a density of 8.64 units per acre.

SPECIAL ORDERS - PUBLIC HEARING

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 305 and 306, 2004 on June 9, 2004. She referred to Councillor Nytes for an explanation of recent changes that would necessitate returning these proposals to committee and asked for consent to hear the proposals together. Consent was given.

PROPOSAL NO. 305, 2004. The proposal, sponsored by Councillors Moriarty Adams, Sanders, Boyd, Gray, Abdullah, Bowes, Brown, Conley, Gibson, Mahern, Mansfield, Nytes, Oliver, Talley and Keller, approves an increase of \$1,000,000 in the 2004 Budget of the Marion County Sheriff's Department (County General Fund) to provide an additional appropriation due to fuel price increases. PROPOSAL NO. 306, 2004. The proposal, sponsored by Councillors Moriarty Adams, Sanders, Boyd, Gray, Abdullah, Bowes, Brown, Conley, Franklin, Gibson, Mahern, Mansfield, Nytes, Oliver, Talley and Keller, approves an increase of \$500,000 in the 2004 Budget of the Marion County Public Defender Agency (County General Fund) to fund additional staff for representation of indigent respondents/defendants.

Councillor Nytes said that these proposals have had extensive conversation and she is still convinced of the need for these appropriations. However, today, the Council received information via a letter from the County Auditor that the financial situation of the County is much worse than originally thought. She said that even with the recent reductions made, there will still be a \$1.6 million shortfall in funding the budget this year. Therefore, she does not believe the Council is in a position this evening to forward these proposals until another way to fund them is discovered. She said that this is another example of why the Council needs to receive regular and timely reports about fund balances.

Councillor Nytes moved, seconded by Councillor Moriarty Adams, to return Proposal Nos. 305 and 306, 2004 to Committee. Proposal Nos. 305 and 306, 2004 were returned to Committee by a unanimous voice vote.

President Boyd asked Councillors Moriarty Adams and Nytes to plan a joint committee of the Public Safety and Criminal Justice and Administration and Finance Committees to consider these proposals more thoroughly.

Councillor Bowes said that he is disappointed in the Auditor for not getting this information to the Council in a more timely manner to more adequately meet needs. He said that this delay creates an emergency situation for the Public Defender.

Councillor Borst said that if proper steps had been taken, this would not be an issue. He said that the Auditor did not recommend nor sign off on these proposals and expenditures, but instead they were offered by the Council leadership. He said that when proposals are done this way, the Auditor needs to be consulted to make sure funds are available.

President Boyd stated that this is Councillor Borst's personal opinion and not necessary a legal one.

Councillor Sanders stated that the Auditor's Office submitted an ordinance similar to this one, and therefore should not have had problems with this submission. She said that she has grave concerns about the kind of financial information the Council is receiving. She said that this budget shortage information did not come to the Council until after 2:00 p.m. today, and the books were closed on June 30, 2004, and the Council should have been made aware of the situation before this afternoon.

Councillor Talley reported that the Metropolitan Development Committee heard Proposal Nos. 346 and 347, 2004 on June 28, 2004. He asked for consent to present the proposals together. Consent was given, with the provision that the proposals are voted on separately.

PROPOSAL NO. 346, 2004. The proposal, sponsored by Councillors Gray, Talley, Gibson, Mahern, Keller, Abdullallah and Mansfield, authorizes the issuance of special taxing district bonds and notes in the amount of \$60,000,000 for the Metropolitan Development Commission to purchase property commonly known as Capital Commons for the development of Simon Property Group's global headquarters. PROPOSAL NO. 347, 2004. The proposal, sponsored by Councillors Keller, Mansfield, Gray, Talley, Gibson, Mahern and Abdullallah, authorizes the issuance of Economic Development Revenue bonds in a principal amount not to exceed \$20,000,000 to fund the Metropolitan Development Commission's purchase of property commonly known as Capital Commons and redevelopment of the below ground parking garage. By 4-1-1 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President Boyd called for public testimony at 8:16 p.m.

Reverend Pamela Pinkney, citizen, asked what economic, race and gender of people this project will benefit.

Glenn Pratt, citizen, stated that he welcomes the Simon headquarters staying downtown, but he would suggest they move to the north side of the State House to the State parking lot so that greenspace is not lost.

Tamara Zahn, president of Indianapolis Downtown, Inc., stated that this is an important economic development project that will retain more than 800 employees downtown and help to generate more retail and food sales. She said that this will be a long-term property tax benefit and is a good site for a corporate headquarters. She said that the parking garage component of the project will also be helpful for use by other citizens on nights and weekends.

President Boyd asked how many public hearings this issue has had. Councillor Talley said that this evening is the eighth public hearing on this project.

Councillor Gibson said that this project will contribute to the tax base, retain 800 to 900 employees and is the best use of economic development dollars.

Councillor Speedy said that he wants to make it clear that he is not anti-downtown or anti-Simon Property Group, but he is not comfortable with this proposal. He said that if this is the right financing, it is the wrong location; if it is the right location, it is the wrong financing; and if it is the right site and right financing, the proposal needs to be more detailed so that the property reverts back to public use. He said that this is priceless real estate with all the amenities, and he believes there should not be incentives offered, and they should have to buy it themselves. He referred to a similar case in Plainfield, where public land was converted for private use, and then the company left. He said that it is wrong to convert park land for private use.

Councillor Pfisterer said that she will vote in favor of the proposal because they have demonstrated to her that they will pay property taxes and promise to reserve the rest of the open space as public park land. She said that she doubts Simon Property Group will leave Indianapolis any time soon as was the case in Plainfield.

Councillor Bradford said that he agrees with Councillor Speedy's comments and also cannot support this proposal.

Councillor Keller said that if someday Simon does decide to move, he believes they will sell it to someone who will also pay property taxes. He said that he does not see how the project can hurt taxpayers, especially with the City buying the rest of the land and committing it to greenspace.

Councillor Salisbury said that while Simon Property Group is an outstanding corporate citizen, there is so little greenspace and he does not think this is the only place to put this headquarters.

Councillor Cockrum said that the Simons have done a lot for the City, but there are lots of concerns about economic development in the City. This project is not bringing in any new business. Even if the Simons do not locate downtown on this property, they are still committed to staying in Marion County and have other options. He said that the Council needs to concentrate on other issues such as funding for IndyGo, Health and Hospital, the County's Department of Correction bills, Public Defender, and Sheriff's Department. He added that there has been excessive flooding in his district, and last year the Mayor promised those citizens he would do something to help, but is now telling them nothing will happen to bring them relief until 2006. He said that there are people who want City water and sewers and cannot get it. He said that he believes the priorities should be different.

Councillor Mahern said that tax revenue is greatly needed in Center Township. He said that there is more park land in downtown Indianapolis than in most other major cities, and Simon is committed to preserving the rest of the park space, which some other developer may not be inclined to do. He added that there was never an agreement in writing to keep this space as park land, but now there will be an agreement to keep the remaining section as park land.

Councillor Nytes said that while most Councillors are elected to represent certain parts of the County, they also need to think about what is beneficial to the entire County. She said that by retaining these offices in downtown will probably insure that the employees will continue to live within Marion County and not move to outlying Counties closer to the home office. She said that if this money could be used to fix the bus problem or sewers, she would agree with Councillor Cockrum. However this money is in a different pot and they do not have the luxury of using it for those issues. She said that the space this building will be located on is not currently producing taxes the space they are vacating will make room for even more economic development.

Councillor Randolph said that this is a difficult decision, with two very compelling arguments. He said that he is not excited about this particular location, but would hope it could be used as a starting point to revitalize deteriorating Simon malls in the City, such as Lafayette Square.

Councillor Borst said that this is an agonizing decision for him. He said that he was the chairman of the Metropolitan Development Committee when this land was declared sacred under former Mayor Goldsmith's administration. He said that there was an agreement made at the time to keep this land as park land, and this bothers him that no one can find this agreement.

Melina Kennedy, economic development for the Mayor's Office, said that with regards to Reverend Pinkney's question, the Simons are committed to hiring 10% Minority Business Enterprises (MBE) and 2% Women's Business Enterprises (WBE) for the construction phase of the project. In past experience, the Simons have far exceeded their goals and she believes they will again. She said that in researching this project the Capital Improvement Board's legal counsel could find no current legally binding arrangement to preserve this land as open space. She added that some clawbacks have been added to the agreement so that if Simon does not meet their goals, they would owe the City money and have to pay for the project themselves. She said

that there are significant differences between this project and the United project, where the entire facility was exempt from property taxes.

Councillor Talley said that this will bring in some new tax dollars for an old tax increment financing (TIF) district. He said that these economic dollars are restricted as to how they can be used. He said that beyond the payroll, Simon employees help to contribute to the \$3.5 million of sales in retail stores and restaurants.

There being no further testimony, Councillor Talley moved, seconded by Councillor Gibson, for adoption of Proposal No. 346, 2004. Proposal No. 346, 2004 was adopted on the following roll call vote; viz:

24 YEAS: Abdullah, Borst, Bowes, Boyd, Brown, Cain, Conley, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Sanders, Schneider, Talley
5 NAYS: Bradford, Cockrum, Day, Salisbury, Speedy

Proposal No. 346, 2004 was retitled GENERAL RESOLUTION NO. 8, 2004, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 8, 2004

A GENERAL RESOLUTION (i) approving the issuance of special taxing district bonds, notes or other obligations of the Redevelopment District of the City of Indianapolis, Indiana, in one or more series or issues, payable from taxes on real property and certain personal property of designated taxpayers located in the Consolidated/Harding Street Redevelopment Allocation Area allocated and deposited into the Consolidated Redevelopment Allocation Area Special Fund pursuant to the provisions of Indiana Code 36-7-15.1-26 and from other revenues of the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana, if any pledged pursuant to Indiana Code 36-7-15.1-17.5(c); and (ii) approving other matters related thereto.

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the "Commission"), has previously created the Consolidated Harding Street Redevelopment Area (the "Area"), pursuant to the provisions of Indiana Code 36-7-15.1; and

WHEREAS, the City of Indianapolis, Indiana (the "City") has previously issued its City of Indianapolis Redevelopment District Taxable Junior Subordinate Tax Increment Revenue Refunding Bonds of 2003, Series A and Series B, in the original aggregate principal amount of Thirty-Five Million Five Hundred Eighty-Five Thousand Dollars (\$35,585,000), pursuant to Resolution No. 03-B-007 adopted by the Commission on April 2, 2003 (the "2003 Taxable Bonds"), the proceeds of which were used to effect the current refunding of the City of Indianapolis Redevelopment District Limited Recourse Taxable Refunding Notes, Series A; and

WHEREAS, the Commission plans to adopt a 2004 Amended and Restated Junior Subordinate Final Bond Resolution (the "Junior Subordinate Bond Resolution"), which amends and restates the 1998 Junior Subordinate Final Bond Resolution (Resolution No. 98-D-82) of the Commission, as previously amended and supplemented, to permit the issuance of additional special taxing district bonds, notes or other obligations of the District, in one or more series or issues (the "2004 Junior Subordinate Bonds"), the principal of and interest on which are payable from taxes on real property and certain personal property of designated taxpayers located in the Allocation Area allocated and deposited into the Allocation Fund pursuant to the provisions of Indiana Code 36-7-15.1-26 and from other revenues of the Commission, if any, pledged pursuant to Indiana Code 36-7-15.1-17.5(c), for the purpose of procuring funds to be applied to (i) the payment of the cost of property acquisition, redevelopment and economic development in the Consolidated/Harding Street Redevelopment Area, including the total cost of all land, rights-of-way and other property to be acquired and redeveloped, all reasonable and necessary architectural, engineering, legal, financing, accounting, advertising, bond discount and supervisory expenses related to the acquisition and redevelopment of the property or the issuance of the bonds, notes or other obligations, capitalized interest permitted under Indiana Code 36-7-15.1 and a debt service reserve for the bonds, notes or other obligations, to the extent that the Commission determines that a reserve is reasonably required, the total cost of all clearing and construction work to the extent so

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provided for by the Commission, and expenses that the Commission may be required or permitted to pay as "relocation assistance" under Indiana Code 8-23-17, and/or (ii) the cost of refunding all or a portion of the 2003 Taxable Bonds, and (iii) the payment of expenses associated therewith and expenses in connection with or on account of the issuance of the 2004 Junior Subordinate Bonds therefor (collectively, the "Project Costs"); provided that the maximum principal amount of 2004 Junior Subordinate Bonds may not exceed Twenty Million Dollars (\$20,000,000) in the event that none of the 2003 Taxable Bonds are refunded as part of the project; and

WHEREAS, one or more series of the 2004 Junior Subordinate Bonds are currently anticipated to be financed through the Indianapolis Economic Development Commission from the proceeds of economic development bonds of the City (the "City Bonds"), which City Bonds and additional series of 2004 Junior Subordinate Bonds are anticipated to be sold to The Indianapolis Local Public Improvement Bond Bank (the "Bond Bank") pursuant to the provisions of Indiana Code 5-1.4, and the Bond Bank anticipates purchasing the 2004 Junior Subordinate Bonds with the proceeds from the issuance of one or more series of the Bond Bank's bonds, notes or other obligations (the "Bond Bank Bonds"), which Bond Bank Bonds may be secured by one more debt service reserve funds established by the Bond Bank that will be subject to Indiana Code 5-1.4-5-1 and Special Ordinance 67, 85 of the City-County Council; and

WHEREAS, the Bond Bank is considering the execution and delivery of one or more agreements such as interest rate swap agreements or options, cap, collar and floor agreements or other interest rate protection agreements with one or more qualified providers, the purpose of which would be to protect the Bond Bank and the Commission from the risk of any adverse change in interest rates on the Bond Bank Bonds and the 2004 Junior Subordinate Bonds prior to the issuance thereof (such agreements, collectively, the "Hedge Agreements"); and

WHEREAS, the Commission has requested the approval by the City-County Council of the issuance of the 2004 Junior Subordinate Bonds pursuant to Indiana Code 36-3-5-8, and the City-County Council now finds that the issuance of the 2004 Junior Subordinate Bonds should be approved; now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council does hereby approve (i) the form of Junior Subordinate Bond Resolution; and (ii) the issuance of the 2004 Junior Subordinate Bonds of the District, in one or more series or issues, payable from taxes on real property and personal property of certain designated taxpayers located in the Allocation Area allocated and deposited into the Allocation Fund pursuant to Indiana Code 36-7-15.1-26 and from other revenues of the Commission, if any, pledged pursuant to Indiana Code 36-7-15.1-17.5(c), in an original aggregate principal amount not to exceed Sixty Million Dollars (\$60,000,000), which amount does not exceed the estimated Project Costs.

SECTION 2. The City-County Council does hereby acknowledge and approve the execution and delivery of one or more Hedge Agreements.

SECTION 3. The City-County Council does hereby acknowledge that the Bond Bank Bonds may be supported by one or more debt service reserve funds that will be subject to the provisions of Indiana Code 5-1.4-5-1 and Special Ordinance 67, 85 of this City-County Council

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

Councillor Talley moved, seconded by Councillor Gibson, for adoption of Proposal No. 347, 2004. Proposal No. 347, 2004 was adopted on the following roll call vote; viz:

24 YEAS: Abdullah, Borst, Bowes, Boyd, Brown, Cain, Conley, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Sanders, Schneider, Talley
5 NAYS: Bradford, Cockrum, Day, Salisbury, Speedy

Proposal No. 347, 2004 was retitled SPECIAL ORDINANCE NO. 5, 2004, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 5, 2004

A SPECIAL ORDINANCE of the City of Indianapolis authorizing the City of Indianapolis, Indiana to issue one or more series of its "Economic Development Revenue Bonds, Series 2004 ("Simon Headquarters Project") in an aggregate principal amount of approximately \$20,000,000 and approving and authorizing other actions in respect thereto.

WHEREAS, Simon Property Group, Inc. (the "Developer") is considering the development of an office building and an adjoining subsurface parking facility to be located on the Eastern half of Capitol Commons at the Southwest corner of West Washington Street and South Capitol Avenue in Indianapolis, Indiana, for use by the Developer as its global corporate headquarters (the "Project"); and

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, in its capacity as the Redevelopment Commission of the City of Indianapolis, Indiana (the "Commission"), amended the Redevelopment Plan for the Consolidated/Harding Street Redevelopment Area to provide for the acquisition of certain additional property and to amend the proposed land use of certain parcels to allow commercial or office development; and

WHEREAS, as an inducement to the Developer to undertake the Project, the City intends to provide (i) certain funds for use in the development of the Project, and (ii) certain funds for the acquisition of the adjoining subsurface parking facility to provide parking during normal working hours for Simon employees; and

WHEREAS, the City of Indianapolis Economic Development Commission (the "EDC") has rendered its report regarding the proposed financing of a portion of certain economic development facilities for the Project to be undertaken by the Developer and the Commission, and/or such other entities as they may designate (together, the "Applicant"), and the Commission has commented on such report; and

WHEREAS, the EDC has heretofore (i) conducted a public hearing in accordance with Indiana Code 36-7-12-24 as amended (the "Code"); and (ii) adopted a resolution, which resolution has been transmitted hereto, finding that the financing of a portion of certain economic development facilities to be developed by the Applicant through the issuance of one or more series of City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 2004 (Simon Headquarters Project) (the "City Bonds") complies with the purposes and provisions of Indiana Code 36-7-11.9 and Indiana Code 36-7-12 (collectively, the "Act") and that such financing will be of benefit to the health, prosperity, economic stability and general welfare of the City of Indianapolis, Indiana (the "City"), and its citizens; and

WHEREAS, the EDC has heretofore approved and recommended the adoption of this form of ordinance by this City-County Council (the "Council"), has considered the issue of adverse competitive effect and has approved the forms of and has transmitted for approval by the Council, the Financing Agreements, the Qualified Entity Purchase Agreements and the form of the City Bonds (collectively hereinafter referred to as the "Financing Documents"); and

WHEREAS, the Commission may have available certain funds generated through certain hedge agreements entered into by The Indianapolis Local Public Improvement Bond Bank (the "Bond Bank") in connection with the issuance of bonds by the Redevelopment District of the City of Indianapolis for purposes of refinancing certain outstanding obligations of the District (the "Available Funds"), which Available Funds may be used for costs of acquisition and redevelopment in or serving the Consolidated/Harding Street Redevelopment Area; and

WHEREAS, pursuant to City-County General Resolution No. 1, 2001 (Proposal No. 66, 2001) the Council required any project to be funded from the Available Funds (defined as a "2003 New Money Project") to be approved by the Council before such project is undertaken; and

WHEREAS, the Commission has agreed to pledge certain of the Available Funds to the repayment of the City Bonds (or to fund a portion of the Debt Service Reserve Fund for the City Bonds), if necessary, subject to approval by the Council as set forth above; now therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF
THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of a portion of the economic development facilities for the Project referred to in the Financing Documents previously approved by the EDC and presented to the Council, the issuance and sale of the City Bonds and the use of the proceeds of the City Bonds by the Applicant for the financing of a portion of the costs of the Project, complies with the purposes and provisions of the Act and will be of benefit to the health, prosperity, economic stability and general welfare of the City and its citizens.

SECTION 2. At the public hearing held before the EDC, the EDC considered whether the Project would have an adverse competitive effect on any similar facilities located in or near the City. This Council hereby confirms the findings set forth in the EDC's resolution, and concludes that the Project will be of benefit to the health, prosperity, economic stability and general welfare of the citizens of the City.

SECTION 3. The substantially final forms of the Financing Documents shall be incorporated herein by reference and shall be inserted in the minutes of the Council and kept on file by the Clerk of the Council or the City Controller. In accordance with the provisions of Indiana Code 36-1-5-4, two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 4. The City shall issue the City Bonds in one or more series in a total maximum principal amount not to exceed Twenty Million Dollars (\$20,000,000), which shall mature no later than thirty (30) years from the date of the first principal payment thereon. The City Bonds are to be issued for the purpose of procuring funds to pay the costs of a portion of the acquisition, construction, installation, renovation, and equipping of the Project, as more particularly set out in the Financing Documents, incorporated herein by reference, which City Bonds will be payable as to principal, premium, if any, and interest from sources pursuant to the Financing Agreements. The City Bonds shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the City nor are the City Bonds payable in any manner from revenues raised by taxation.

SECTION 5. The Controller of the City (the "Controller") is authorized and directed to sell the City Bonds to the Bond Bank at a negotiated sale. Subject to the parameters set forth in Section 4 of this Ordinance, the City Bonds shall be sold to the Bond Bank at the rates of interest and at the prices (plus accrued interest, if any) negotiated by the Controller and set forth in a Qualified Entity Purchase Agreement between the City and the Bond Bank (the "QE Purchase Agreement"). The Controller is authorized to execute, on behalf of the City, the QE Purchase Agreement, with such changes thereto as the Controller may approve, his/her approval to be conclusively evidenced by his/her execution thereof. The Controller is further authorized to approve the use of any necessary information regarding the City for inclusion in any offering memorandum or other disclosure document used in connection with the offering and sale of the City Bonds (or of bonds by the Bond Bank, the proceeds of which will be used to purchase the City Bonds).

SECTION 6. The Mayor of the City (the "Mayor"), the Controller and the Clerk of the City are, and each of them is, authorized and directed to execute, attest and affix or imprint by any means the seal of the City to the Financing Documents approved herein on behalf of the City and any other document which may be necessary or desirable prior to, on or after the date hereof to consummate or facilitate the transaction, including the City Bonds authorized herein. The Mayor and the Controller are, and each of them is, hereby expressly authorized to approve any modifications or additions to the Financing Documents which take place after the date of this Ordinance without further approval of this Council or the EDC if such modifications or additions do not affect the terms set forth in this Ordinance and the Financing Documents pursuant to IC 36-7-12-27(a). The approval of said modifications or additions shall be conclusively evidenced by the execution and attestation thereof and the affixing of the seal thereto or the imprinting of the seal thereon. The signatures of the Mayor and the Clerk on the City Bonds may be either manual or facsimile signatures. Payment for the City Bonds will be made to the Controller and, after such payment the City Bonds will be delivered by the Clerk to the purchasers thereof. The City Bonds shall be originally dated the date of issuance and delivery thereof.

SECTION 7. The provisions of this Ordinance and the Financing Documents securing the City Bonds shall constitute a contract binding between the City and the holders of the City Bonds, and after the issuance of the City Bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as the City Bonds or the interest thereon remains unpaid.

SECTION 8. The Council does hereby acknowledge and approve (a) the issuance of bonds by the Bond Bank to fund the purchase of the City Bonds; and (b) the establishment and funding of a Debt Service Reserve Fund to support the Bond Bank Bonds that will be subject to the provisions of Indiana Code 5-1.4-5-1 and Special Ordinance No. 67, 1985, previously adopted by the Council on October 28, 1985.

SECTION 9. The Council does hereby approve the use of the Available Funds for the Project, and in particular for the payment of debt service or funding of a debt service reserve with respect to the City Bonds, the proceeds of which will be used to fund a portion of the cost of acquisition, construction, improvement and equipping of the Project, and that such use of Available Funds shall be deemed a "2003 New Money Project," all in accordance with the provisions of City-County General Resolution No. 1, 2001.

SECTION 10. The Council hereby finds that (a) the Project and the related financing assistance for the Project is consistent with the Redevelopment Plan for the Redevelopment Area; (b) the Developer would not develop the Project on the subject real estate, and the subject real estate could not be developed pursuant to the Redevelopment Plan, without the financing assistance provided in the Financing Documents; (c) the Project furthers the economic development and redevelopment of the Redevelopment Area; and (d) the Project will be of benefit to the health, prosperity, economic stability and general welfare of the City and its citizens.

SECTION 11. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 350-357, 2004 on June 23, 2004. She asked for consent to vote on these proposals together. Councillor Schneider asked if any of the proposals require a local match. Councillor Moriarty Adams said that Proposal No. 357, 2004 requires a local match consisting of \$84,877 by the Marion Superior Court, \$73,541 by the Public Defender, and \$7,042 by the Prosecutor. Councillor Schneider said that he would therefore like to vote on Proposal No. 357, 2004 separately. Consent was given to hear Proposal Nos. 350-356, 2004 together.

PROPOSAL NO. 350, 2004. The proposal, sponsored by Councillors Moriarty Adams, Talley, McWhirter and Pfisterer, approves a transfer and increase of \$24,810 in the 2004 Budget of the Department of Public Safety, Police Division (Non-Lapsing Federal Grants Funds), to fund regional training on domestic violence conducted by the Julian Center and to fund Weed and Seed initiatives determined after the budget process, financed by a transfer between characters and a grant from the Federal Department of Justice. PROPOSAL NO. 351, 2004. The proposal, sponsored by Councillors Moriarty Adams, Talley and Pfisterer, approves an increase of \$312,761 in the 2004 Budget of the Department of Public Safety, Emergency Management and Planning Division (Non-Lapsing Federal Grants Fund), to purchase National Institute for Occupational Safety & Health (NIOSH) certified air purifying respirators and chemical warfare canisters and to fund additional needs of the Community Emergency Response Team (CERT) program, financed by grants from the Federal Department of Homeland Security and the Federal Emergency Management Agency (FEMA). PROPOSAL NO. 352, 2004. The proposal, sponsored by Councillors Moriarty Adams, Talley and McWhirter, approves an increase of \$3,200 in the 2004 Budget of the Department of Public Safety, Animal Care and Control Division (Consolidated County Fund), to pay for the design and installation of billboard advertisements promoting the Canine Crime Stoppers program, financed by private donations. PROPOSAL NO. 353, 2004. The proposal, sponsored by Councillor Borst, approves an increase of \$2,450 in the 2004 Budget of Marion County Superior Court (State and Federal Grants Fund) to provide security services to the court extended to June 30, 2004, funded by a grant from Southeast Umbrella Organization. PROPOSAL NO. 354, 2004. The proposal, sponsored by Councillors Borst and Pfisterer, approves an increase of \$10,000 in the 2004 Budget of Marion County Superior Court (State and Federal Grants Fund) to appropriate a grant for court interpreter services, funded by a grant from Division of State Court Administration. PROPOSAL NO. 355, 2004. The proposal, sponsored by Councillor Borst, approves an increase of \$25,000 in the 2004 Budget of Marion County Superior Court (State and Federal Grants Fund) to provide a community work services coordinator for Community Court, funded by a grant from Department of Justice, Southeast Umbrella Organization. PROPOSAL NO. 356, 2004. The proposal, sponsored by Councillor Borst, approves a transfer of \$52,500 in the 2004 Budget of the Marion

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County Superior Court (State and Federal Grants Fund) to transfer Character 01 money to Character 02 and 03, to cover additional programming and operating expenses at the Community Court. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President Boyd called for public testimony at 8:24 p.m.

Reverend Pinkney said that people are dying from being taxed and asked why these dollars are going to the Julian Center and Weed n Seed programs when faith-based organizations that are doing the same thing are being shut down. She said that she supports Proposal No. 352, 2004.

There being no further testimony, Councillor Moriarty Adams moved, seconded by Councillor Talley, for adoption. Proposal Nos. 350-356, 2004 were adopted on the following roll call vote; viz:

26 YEAS: Borst, Bowes, Boyd, Bradford, Brown, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley

0 NAYS:

3 NOT VOTING: Abduallah, Cain, Franklin

Proposal No. 350, 2004 was retitled FISCAL ORDINANCE NO. 95, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 95, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 112, 2003) transferring and appropriating an additional Twenty-four Thousand Eight Hundred Ten Dollars (\$24,810) in the Non-Lapsing Federal Grants Fund for purposes of the Department of Public Safety, Police Division, and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section (k) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, to fund regional training on domestic violence conducted by the Julian Center and to fund Weed and Seed initiatives determined after the budget process, financed by a transfer between characters and a grant from the Federal Department of Justice.

SECTION 2. The sum of Twenty-four Thousand Eight Hundred Ten Dollars (\$24,810) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

DEPARTMENT OF PUBLIC SAFETY
POLICE DIVISION

1. Personal Services
4. Capital Outlay
TOTAL INCREASE

NON-LAPSING FEDERAL GRANTS FUND

14,310
10,500
24,810

SECTION 4. The said increased appropriation is funded by the following reductions:

DEPARTMENT OF PUBLIC SAFETY
POLICE DIVISION

3. Other Services and Charges
TOTAL DECREASE

NON-LAPSING FEDERAL GRANTS FUND

7,186
7,186

NON-LAPSING FEDERAL GRANTS FUND

Unappropriated and Unencumbered	
Non-Lapsing Federal Grants Fund	<u>17,624</u>
TOTAL REDUCTION	17,624

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. The non-lapsing appropriations included in this ordinance shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the program described in section 1 above.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 351, 2004 was retitled FISCAL ORDINANCE NO. 96, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 96, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 112, 2003) appropriating an additional Three Hundred Twelve Thousand Seven Hundred Sixty-one Dollars (\$312,761) in the Non-Lapsing Federal Grants Funds for purposes of the Department of Public Safety, Emergency Management and Planning Division, and reducing the unappropriated and unencumbered balance in the Non-Lapsing Federal Grants Funds.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(k) of the City-County Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Emergency Management and Planning Division, to purchase National Institute for Occupational Safety & Health (NIOSH) certified air purifying respirators and chemical warfare canisters and to fund additional needs of the Community Emergency Response Team (CERT) program, financed by grants from the Federal Department of Homeland Security and the Federal Emergency Management Agency (FEMA).

SECTION 2. The sum of Three Hundred Twelve Thousand Seven Hundred Sixty-one Dollars (\$312,761) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	
<u>EMERGENCY MANAGEMENT AND PLANNING DIV</u>	
<u>NON-LAPSING FEDERAL GRANTS FUND</u>	
2. Supplies	309,628
3. Other Services and Charges	160
4. Capital Outlay	<u>2,973</u>
TOTAL INCREASE	312,761

SECTION 4. The said additional appropriation is funded by the following reductions:

NON-LAPSING FEDERAL GRANTS FUND

Unappropriated and Unencumbered	
Non-Lapsing Federal Grants Fund	<u>312,761</u>
TOTAL REDUCTION	312,761

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

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SECTION 6. This non-lapsing appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the program described in section 1 above.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 352, 2004 was retitled FISCAL ORDINANCE NO. 97, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 97, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 112, 2003) appropriating an additional Three Thousand Two Hundred Dollars (\$3,200) in the Consolidated County Fund for purposes of the Department of Public Safety, Animal Care and Control Division, and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(k) of the City-County Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Animal Care and Control Division, to pay for the design and installation of billboard advertisements promoting the Canine Crime Stoppers program, financed by private donations.

SECTION 2. The sum of Three Thousand Two Hundred Dollars (\$3,200) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	
<u>ANIMAL CARE AND CONTROL DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
3. Other Services and Charges	<u>3,200</u>
TOTAL INCREASE	3,200

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>CONSOLIDATED COUNTY FUND</u>
Unappropriated and Unencumbered	
Consolidated County Fund	<u>3,200</u>
TOTAL REDUCTION	3,200

SECTION 5. The projected December 31, 2004, fund balance for the Consolidated County Fund is as follows:

Estimated cash balance as of April, 2004 (last closed fiscal month)	37,187,789
Estimated revenues 2004 (Balance of 2004 Budgeted Revenues)	<u>24,256,163</u>
Projected funds available	61,443,952
2004 remaining appropriations	36,393,481
Proposed reduction appropriation (this proposal)	3,200
Pending additional appropriation (Proposal No. 294 & 259, 2004)	<u>637,000</u>
Total Requirements	36,346,681
Projected fund balance December 31, 2004	24,410,271

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 353, 2004 was retitled FISCAL ORDINANCE NO. 98, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 98, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 114(2003) appropriating an additional Two Thousand Four Hundred Fifty Dollars (\$2,450) in the State and Federal Grants Fund for purposes of the Marion County Superior Court and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (f) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to provide security services to the court.

SECTION 2. The sum of an additional Two Thousand Four Hundred Fifty Dollars (\$2,450) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION SUPERIOR COURT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>2,450</u>
TOTAL INCREASE	2,450

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>2,450</u>
TOTAL REDUCTION	2,450

SECTION 5. No local match

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 354, 2004 was retitled FISCAL ORDINANCE NO. 99, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 99, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 114(2003) appropriating an additional Ten Thousand Dollars (\$10,000) in the State and Federal Grants Fund for purposes of the Marion County Superior Court and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (f) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to appropriate a grant for court interpreter services.

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SECTION 2. The sum of an additional Ten Thousand Dollars (\$10,000) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION SUPERIOR COURT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>10,000</u>
TOTAL INCREASE	10,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>10,000</u>
TOTAL REDUCTION	10,000

SECTION 5. No local match

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 355, 2004 was retitled FISCAL ORDINANCE NO. 100, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 100, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 114, 2003) appropriating an additional Twenty-five Thousand Dollars (\$25,000) in the State and Federal Grants Fund for purposes of the Marion County Superior Court and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (f) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to provide a community work services coordinator for Community Court.

SECTION 2. The sum of an additional Twenty-five Thousand Dollars (\$25,000) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION SUPERIOR COURT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	<u>25,000</u>
TOTAL INCREASE	25,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>25,000</u>
TOTAL REDUCTION	25,000

SECTION 5. No local match

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 356, 2004 was retitled FISCAL ORDINANCE NO. 101, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 101, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No.114, 2003) transferring and appropriating an additional Fifty-two Thousand Five Hundred Dollars (\$52,500) in the State and Federal Grants Fund for purposes of the Marion County Superior Court and reducing certain other appropriations from that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(d) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes Marion County Superior Court, to transfer Character 01 money to Character 02 and 03, to cover additional programming and operating expenses at the Community Court.

SECTION 2. The sum of additional Fifty-two Thousand Five Hundred Dollars (\$52,500) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION SUPERIOR COURT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
2. Supplies	7,000
3. Other Services and Charges	<u>45,500</u>
TOTAL INCREASE	52,500

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION SUPERIOR COURT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personnel Services	<u>52,500</u>
TOTAL DECREASE	52,500

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 357, 2004. The proposal, sponsored by Councillor Borst, approves an increase of \$496,380 in the 2004 Budget of Marion County Superior Court (State and Federal Grants Fund) to appropriate Young Offenders grant for salaries and contractual attorneys for the Expedited Court, funded by a grant from U.S. Department of Justice, Edward Byrne Memorial Grant. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Boyd called for public testimony at 8:30 p.m.

Reverend Pinkney said that there needs to be clarity and understanding regarding goals for the direction of youth so that the faith-based community can help address these concerns.

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Councillor Schneider said that given the current County fiscal situation and the local matches required in this proposal, it is hard to support this proposal. However, these are worthwhile measures and therefore he will support them.

Councillor Cockrum said he believes State law says that legislators can be held personally liable if they vote to appropriate monies where dollars are not available and therefore he cannot support this proposal.

There being no further testimony, Councillor Moriarty Adams moved, seconded by Councillor Talley, for adoption. Proposal No. 357, 2004 was adopted on the following roll call vote; viz:

21 YEAS: Abdullah, Borst, Bowes, Boyd, Brown, Conley, Day, Franklin, Gibson, Gray, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Sanders, Speedy, Talley

8 NAYS: Bradford, Cain, Cockrum, Keller, Plowman, Randolph, Salisbury, Schneider

Proposal No. 357, 2004 was retitled FISCAL ORDINANCE NO. 102, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 102, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 114(2003) appropriating an additional Four Hundred Ninety-six Thousand Three Hundred Eighty Dollars (\$496,380) in the State and Federal Grants Fund for purposes of the Marion County Superior Court and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (f) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to appropriate Young Offenders grant for salaries and contractual attorneys for the Expedited Court.

SECTION 2. The sum of an additional Four Hundred Ninety-six Thousand Three Hundred Eighty Dollars (\$496,380) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION SUPERIOR COURT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	324,138
Fringes	97,242
3. Other Services and Charges	<u>75,000</u>
TOTAL INCREASE	496,380

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>496,380</u>
TOTAL REDUCTION	496,380

SECTION 5. Local match of \$165,460 is funded by the following existing appropriations as follows:

<u>MARION SUPERIOR COURT</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	30,697
3. Other Services and Charges	54,180

PUBLIC DEFENDER AGENCY

1. Personal Services

COUNTY GENERAL FUND

73,541

COUNTY PROSECUTOR

1. Personal Services

TOTAL MATCH

DEFERRAL FEE FUND

7,042

165,460

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 349, 2004. Councillor Nytes reported that the Administration and Finance Committee heard Proposal No. 349, 2004 on June 29, 2004. The proposal, sponsored by Councillors Sanders, Nytes, Gray, Brown, Plowman and Keller, amends the AUL deferred compensation plan to permit employees to transfer funds between the deferred compensation plans sponsored by the City and to add an employee's attainment of age 70 1/2 as an event allowing benefit payment. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Nytes moved, seconded by Councillor Sanders, for adoption. Proposal No. 349, 2004, as amended, was adopted on the following roll call vote; viz:

29 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy*
0 NAYS:

Proposal No. 349, 2004, as amended, was retitled GENERAL ORDINANCE NO. 59, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 59, 2004

A PROPOSAL FOR A GENERAL ORDINANCE amending the deferred compensation plan of the City of Indianapolis and Marion County to permit employees to transfer funds between the two deferred compensation plans sponsored by the City and to add an employee's attainment of age 70 and 1/2 as an event allowing benefit payment.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The AUL deferred compensation plan approved by the City-County Council as Exhibit A to General Ordinance No. 147, 1999, and as amended by General Ordinance No. 96, 2002, is hereby further amended to permit employees to transfer funds between the two deferred compensation plans sponsored by the City and to add an employee's attainment of age 70 and 1/2 as an event allowing benefit payment.

SECTION 2. The City-County Council approves this restatement of the "AUL DEFERRED COMPENSATION PLAN OF THE CITY OF INDIANAPOLIS AND MARION COUNTY" submitted to the Council on June 21, 2004, and attached to this proposal as EXHIBIT A.

SECTION 3. Should any provisions (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid

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provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end, the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 358, 2004. Councillor Conley reported that the Public Works Committee heard Proposal No. 358, 2004 on July 8, 2004. The proposal, sponsored by Councillors Conley, Cain, Franklin and Talley, authorizes the Director of the Department of Public Works to amend an agreement with the City of Lawrence for wastewater treatment and disposal services. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Conley moved, seconded by Councillor Gibson, for adoption. Proposal No. 358, 2004 was adopted on the following roll call vote; viz:

28 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy

0 NAYS:

1 NOT VOTING: Talley

Proposal No. 358, 2004 was retitled COUNCIL RESOLUTION NO. 62, 2004, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 62, 2004

A COUNCIL RESOLUTION approving and authorizing execution of an amendment to the agreement between the City of Indianapolis and the City of Lawrence for the treatment and disposal of sewage and wastewater.

WHEREAS, on March 29, 2004 the Board of Public Works by Resolution No. 29, 2004 approved an amendment to the agreement with the City of Lawrence providing for the City of Indianapolis to take control of all aspects of the Industrial Pretreatment Program (IPP) within the service area of the City of Lawrence, and authorized the Director of the Department of Public Works to sign said agreement on behalf of the City of Indianapolis; and

WHEREAS, said agreement is in the best interests of the City, now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The amendment to the agreement between the City of Indianapolis and the City of Lawrence as approved by the Board of Public Works by Resolution No. 29, 2004, is hereby approved and ratified, and the Clerk is directed to attach a copy of such Board Resolution and Agreement to the official copy of this Resolution, and insert a copy of the permanent minutes of the Council.

SECTION 2. The Director of the Department of Public Works is hereby authorized to execute said Agreement on behalf of the City of Indianapolis.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Conley reported that the Public Works Committee heard Proposal Nos. 359-361, 2004 on July 8, 2004. He asked for consent to vote on these proposals together. Councillor Bradford asked that Proposal No. 361, 2004 be voted on separately. President Boyd said that since there are only three, each can be taken separately.

PROPOSAL NO. 359, 2004. The proposal, sponsored by Councillor Schneider, authorizes a change in parking restrictions for Meadows Drive between 38th Street and 42nd Street (District 4). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation

that it do pass. Councillor Conley moved, seconded by Councillor Schneider, for adoption. Proposal No. 359, 2004 was adopted on the following roll call vote; viz:

28 YEAS: Abdullallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley

0 NAYS:

1 NOT VOTING: Gray

Proposal No. 359, 2004 was retitled GENERAL ORDINANCE NO. 60, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 60, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-121, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be and the same is hereby amended by the deletion of the following, to wit:

Meadows Drive, on the west side, from
38th Street to Adams Street

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be and the same is hereby amended by the addition of the following, to wit:

Meadows Drive, on the east side, from
Adams Street to a point 130 feet south of 42nd Street

Meadows Drive, on the west side, from
38th Street to a point 130 feet south of 42nd Street

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 360, 2004. The proposal, sponsored by Councillor Abdullallah, authorizes parking restrictions on Hudson Street from Allegheny Street to Walnut Street (District 15). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Conley moved, seconded by Councillor Abdullallah, for adoption. Proposal No. 360, 2004 was adopted on the following roll call vote; viz:

25 YEAS: Abdullallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Gibson, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Salisbury, Sanders, Schneider, Speedy, Talley

0 NAYS:

4 NOT VOTING: Day, Franklin, Gray, Randolph

Proposal No. 360, 2004 was retitled GENERAL ORDINANCE NO. 61, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 61, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-121, Parking prohibited at all times on certain streets.

July 19, 2004

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be and the same is hereby amended by the addition of the following, to wit:

Hudson Street, on both sides, from
Dead-end south of Allegheny Street to Michigan Street

Hudson Street, on the east side, from
A point 105 feet north of Michigan Street,
To a point 175 feet north of Michigan Street

Hudson Street, on the east side, from
North Street to Walnut Street

Hudson Street, on the west side, from
Michigan Street to Walnut Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 361, 2004. The proposal, sponsored by Councillor Mansfield, authorizes intersection controls at 64th Street and Springmill Road (District 2). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Bradford said that this is on the edge of his district and while he agrees there are some traffic problems at this location, this is one of the few streets where there are no stops. He said that he has never seen an accident at this location and does not believe intersection controls are needed.

Councillor Mansfield said that she appreciates Councillor Bradford's comments, but there are problems getting off of Spring Mill due to the Orchard School being nearby and too many cars picking up speed because of no stop signs along this area.

Councillor Conley moved, seconded by Councillor Mansfield, for adoption. Proposal No. 361, 2004 was adopted on the following roll call vote; viz:

26 YEAS: Abdullah, Borst, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Sanders, Schneider, Speedy, Talley
2 NAYS: Bradford, Salisbury
1 NOT VOTING: Gray

Proposal No. 361, 2004 was retitled GENERAL ORDINANCE NO. 62, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 62, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11	64 th St Springmill Rd	None	All-way Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

NEW BUSINESS

Councillor Cockrum said that more than 400 participants will be leaving Friday morning to compete in the Scarborough-Indianapolis Peace Games with sister-city Scarborough, Canada. He said that these games are a great experience for a lot of young people and it is a huge effort to put it all together. He asked Councillors to support these games in any way they can. President Boyd said that he has been participated several times and enjoys being able to meet with members of the Scarborough and Toronto Councils to exchange thoughts and concerns. He said that it is also important to support the young people participating. He commended Councillor Cockrum for his efforts with these games over the years and said that he is doing an excellent job.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Borst stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillors Randolph, Boyd, Gray, Oliver, Abdualлах, Bowes, Brown, Conley, Franklin, Gibson, Mahern, Mansfield, Moriarty Adams, Nytes, Sanders and Talley in memory of Rev. Charles Williams; and
- (2) Councillor Oliver in memory of Howard Frye-Cummings, LaVelda Marie Wiseman, Robert D. Bible, Sr., William Robert Ballard and Anniece P. Slaughter Ross; and
- (3) Councillors Oliver and Boyd in memory of Willie D. Murff; and
- (4) Councillors McWhirter, Pfisterer and Salisbury in memory of Don Hudson; and
- (5) Councillor Randolph in memory of Curtis Johnson, Cecelia Barron, Vye Parker, Sophia Sansone, Joan Fuller, Tim Fahey, Barbara Sanders-Robinson, Dorothy Frederick, Mildred Wingenroth, Georgetta Britt, Sandy Veller and Kenneth Winegar; and
- (6) Councillor Nytes in memory of Viola Clapp Fadely; and
- (7) Councillor Boyd in memory of Orville Sylvester Cole; and
- (8) Councillor Langsford in memory of Richard Dorsey.

Councillor Borst moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Rev. Charles Williams, Howard Frye-Cummings, LaVelda Marie Wiseman, Robert D. Bible, Sr., William Robert Ballard, Anniece P. Slaughter Ross, Willie D. Murff, Don Hudson, Curtis Johnson, Cecelia Barron, Vye Parker, Sophia Sansone, Joan Fuller, Tim Fahey, Barbara Sanders-Robinson, Dorothy Frederick, Mildred Wingenroth, Georgetta Britt, Sandy Veller, Kenneth Winegar, Viola Clapp Fadely, Orville Sylvester Cole, and Richard Dorsey. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:43 p.m.

July 19, 2004

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 19th day of July, 2004.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

President

ATTEST:

Clerk of the Council

(SEAL)

